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Banner & Witcoff Ref. No.

003413.00008

JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled Amelioration of Effects of Cigarette Smoke, the specification of which

- ☐ is attached hereto.
- ☒ was filed on August 22, 2003 as Application Serial Number 10/645,839 and was amended on _____ (if applicable).
- ☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority Claimed Under 35 U.S.C. §119

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

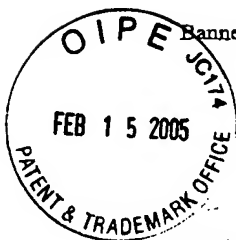
Application Serial No.	Date of Filing (Day, Month, Year)	Status X Patented, Pending, Abandoned
60/406,036	07-August-2002	Yes

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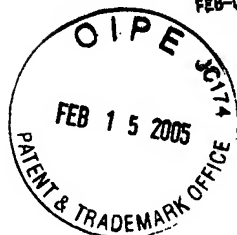
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FEB-01-05 15:05 From: UNIV OF ARIZONA MICROFILMS



Banner & Witcoff Ref. No. 003413.00008

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys, all Banner & Witcoff, Ltd. attorneys indicated therein under PTO Customer Number 622907, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office.

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.
Customer Number: 22907

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature _____ Date _____
Full Name of Inventor WITTEN Mark _____
Family Name First Given Name Second Given Name
Residence Tucson, Arizona Citizenship United States
Post Office Address 7832 E. Rosewood Street, Tucson, Arizona 85710

Signature David T. Harris, PhD Date 2/1/05
Full Name of Inventor HARRIS David _____
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Power of Attorney

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Signature Mark Witten Date 1-31-05
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